

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ERIC YOUNG,

Plaintiff,

v.

Case No. 11-12780

CITY OF HIGHLAND PARK, et al.,

Defendants.

**ORDER DENYING PLAINTIFF'S MOTIONS IN LIMINE
"TO PRECLUDE CERTAIN EVIDENCE FROM TRIAL"**

Plaintiff filed on October 10, 2012, his "Motions in Limine" [Dkt. #38], seeking the exclusion of certain evidence:

- (a) Plaintiff's criminal history, including several felony convictions;
- (b) Plaintiff's receipt of social security payments;
- (c) Plaintiff's not having a valid driver's license;
- (d) Plaintiff's worker's compensation lawsuit and subsequent settlement in 1997 against Environmental Abatement Services.

Plaintiff argues that "such evidence and/or testimony as set forth above is in no way relevant," but the court senses immediately that the Federal Rules of Evidence readily permit examination of at least the Plaintiff's felonious history, see F.R.E. 609(a)(1); perhaps some of the other behavior would as well be relevant depending on Plaintiff's factual proffers.

In addition, Plaintiff never explains what was done in an effort to seek concurrence pursuant to Local Rule 7.1(a). There is no response from Defendants,

perhaps in view of the court's suspension of various motion briefing deadlines in anticipation of mediation discussions. As easily as the court can imagine why Rule 609(a)(1) would apply, it is equally difficult to imagine why the receipt of Social Security payments would be of any interest to Defendants on cross examination.

Final determination of each of these cannot be made until Plaintiff testifies, if he does. Accordingly,

IT IS ORDERED that Plaintiff's Motion in Limine [Dkt. # 38] is DENIED WITHOUT PREJUDICE.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 21, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 21, 2013, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522